

REMARKS

Reconsideration of the present application is respectfully requested in light of the above amendments to the application and the following remarks.

Regarding the Drawings

The drawings are objected to under 37 CFR 1.84(p)(5) because they do not include reference characters mentioned in the description, “middle portion 36”, page 5, lines 16-17; “bore 60”, page 6, line 8; “head 70” page 6, line 12; and “lever 90” page 7, line 12 which is mentioned in the specification. The enclosed substitute drawing sheets containing Figs. 3-4 include the requested reference characters shown in red ink. Regarding head 70, this part is shown already labeled in Fig. 4 on the left side below number 22.

The drawings are also objected to under 37 CFR 1.84(p)(4) because reference characters “92” and “28” in Figs. 3 and 4 have been used to designate housing”. The enclosed substitute drawing sheet containing Figs. 3-4 include the corrected reference character.

The drawings are objected to under 37 CFR 1.83(a) for failing to show “a means for attachment of the brake 10 to a fork of a bicycle or other wheeled vehicle” on page 5, lines 8 and 9 as described in the specification. In response, Applicant respectfully submits that the attachment means is the bolt 16 and attaches in a conventional manner known to those skilled in the art.

Regarding the Specification

The disclosure informalities as stated on page 2, section 1 of the office action have been corrected. The informalities as objected in Claims 1, 5, 6 and 11-13 on page 2, section 3 have also been corrected.

Regarding the Claims

Claims 1, 4-6 and 11-13 have been amended, New Claims 18-23 have been added. Currently pending in the application, therefore, are Claims 1-23, of which Claims 1, 5, 11-12, 19 and 23 are independent. No new matter has been added.

Claim 4 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claim 4 to point out the antecedent basis for this claim.

Claims 1-4 have been rejected under 35 U.S.C. §102(b) as being anticipated by Yoshigai (U.S. Patent No. 3,628,635). Yoshigai is not a cam system. The lever of Yoshigai operates externally to the brake. Yoshigai's fulcrum lies between the cable attachment point and the bolt 17 (see Fig. 3 of Yoshigai) contact for the pawl portion (13) of the cam lobe/lever (16). See Yoshigai col. 3, lines 44-48: "...the part where the pawl portion 13 of the lever 16 is to be contacted on the outer side face of the minor arch member 6 is formed as a camlike curved surface." The camlike surface acts on the external surface arch of the brake arm and is positioned outer side face of the brake arm arch. The lever position can contribute to increased weight and wind drag. In contrast, the cam surface of the present invention is designed to be between the

cable attachment point (the “second portion”) and the pivot point (the “first portion”). The cam surface acts on the underside of the finger portion of the second arm, i.e., internal to the surface arch. This is significant because the present invention allows for internal functioning of the fulcrum, which contributes to the light weight, lower wind resistance (because of the compact design), and strong braking power of the brake. Thus, Applicant respectfully submits that the present claims are not anticipated by Yoshigai.

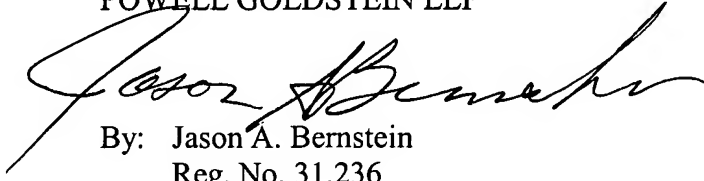
Independent claims 1, 5, 11-12 as amended are believed to now be in condition for allowance, and the related dependent claims are thereby also in condition for allowance. Therefore, Applicant submits that the amended claims overcome the Examiner’s rejections and objections and are in condition for allowance, and Applicant respectfully requests the same.

New Claims 18-23 have been added. No new subject matter has been added.

Some amendments and remarks contained in this document, or in other documents filed or to be filed with the US Patent Office in this case or related cases, may in the future be deemed, by a court of law or government agency of competent jurisdiction, to be narrowing amendments and/or related to patentability. Accordingly, the public is hereby advised that the applicant: (a) intends to relinquish only that claim coverage which is clearly, explicitly, precisely and unequivocally stated to be relinquished; (b) does not intend to relinquish any other claim coverage; (c) reserves the right to assert that any such amendments and/or remarks are not narrowing and/or are not related to patentability; and (d) intends to fully assert the full range of equivalents, under the Doctrine of Equivalents and otherwise, which are presently known or which may become known in the future, for each and every element of each and every claim, and for each and every claim.

Should the Examiner have questions or suggestions which will put this application in line for allowance, he or she is requested to contact the undersigned attorney.

Respectfully submitted,
POWELL GOLDSTEIN LLP



By: Jason A. Bernstein
Reg. No. 31,236

One Atlantic Center
Fourteenth Floor
1201 West Peachtree Street, NW
Atlanta, Georgia 30309
(404) 572-6900
jbernstein@pogolaw.com

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 3-4 and 7-8. These sheets, which includes Figs.1-8, replaces the original sheets including Figs 1-8.

Attachment: Replacement Sheets

